

1 entitled the party to its enjoyment. It is clear that it
2 cannot be demanded in many minor offenses."

3 Ladies and Gentlemen of the Committee, this
4 same rule is the rule in the Supreme Court of the United
5 States. As you know, the Sixth Amendment is an absolute
6 guarantee of the jury trial in all criminal cases, but the
7 Supreme Court has faced this problem in many situations,
8 and I am merely quoting from one of the most recent cases,
9 Cheff versus Schnackenberg, in which the Supreme Court
10 said the following, citing many, many cases: "It is
11 settled by the decisions of this Court that the right of
12 trial by jury does not extend to every criminal proceed-
13 ing. At the time of the adoption of the Constitution,
14 there were numerous offenses commonly described as petty
15 which were tried summarily without a jury."

16 So the posture that we find ourselves in this
17 particular matter is this: There is a body of law in this
18 State, cases which I have read, together with the decisions
19 of the Supreme Court, which hold that where you have a
20 petty offense it is not necessary to have or to require
21 constitutionally a jury trial. If the Chairman of the